

September 22, 2017

Mr. Justin Koon, Engineer Associate
SC DHEC Solid Waste Permitting and Monitoring Section
2600 Bull Street
Columbia, SC 29201

**RE: Class 2 Landfill Expansion Letter of Request
Oconee County Class 2 Landfill (Permit No. 371001-1202)**

Dear Mr. Koon:

The purpose of this letter is to officially request the South Carolina Department of Health and Environmental Control (DHEC) to make a determination on the demonstration of need, solid waste management plans, zoning, and certain buffers for the attached landfill expansion request. This request is made on behalf of Oconee County Solid Waste Management in regards to their Class 2 landfills (Solid Waste Permit Number 371001-1202) located off Wells Highway in Seneca, South Carolina.

Overview and Demonstration of Need

The facility is operated by Oconee County, Solid Waste Management Division. The existing Class 2 landfills would be expanded in order to provide additional capacity for disposal, as well as further closure cap protection for the closed Class 3 Municipal Solid Waste (MSW) landfill (Solid Waste Permit Number 371001-1101).

The Class 3 landfill is unlined and accepted both domestic and industrial waste. The Class 3 landfill stopped receiving waste in July 1998, and closure operations were completed in December 1998, when an initial low-permeability cap was installed over both the Phase 1 and Phase 2 areas. Due to issues with cap settlement and erosion, a second low-permeability cap was constructed over a portion of the Phase 2 unit between 2006 and 2007. Semi-annual groundwater monitoring in accordance with post-closure procedures indicates that groundwater at this facility continues to exhibit constituents with concentrations in excess of their maximum contaminant levels (MCLs), as listed in the United States Environmental Protection Agency (EPA) National Primary Drinking Water Regulations (EPA 816-F-03-016, June 2003).

In order to help mitigate this issue, Oconee County would like to propose expansion of their existing Class 2 landfills on this site vertically to include debris placement on top of the closed Class 3 landfill, as well as laterally to the south and southeast. The additional layer of Class 2 debris in the vertical expansion as well as the future associated final cover would not only serve as additional capacity for Oconee County, but would also provide a further infiltration buffer between the Class 3 waste and storm water.

Mr. Justin Koon
September 22, 2017
Page 2 of 2

The **attached (Appendix A)** letter from the Oconee County Community Development Department confirms that the current use of these parcels as landfills is permitted. The landfill expansion does not extend beyond these existing three parcels on which the landfill is located, so this zoning letter applies to the areas addressed in this request. In addition, all applicable zoning ordinances have been **included**.

The existing Class 3 landfill, which is the same area for the proposed Class 2 expansion, is situated on three separate parcels: 268-00-03-001, 268-00-03-066, and 268-00-03-096. Tax identification cards for the three parcels are **attached (Appendix B)**. The latter two parcels are owned by Oconee County, and the first is owned by the City of Seneca and leased to Oconee County. A copy of said lease is also **included**.

A site map is **attached (Appendix C)** showing all involved parcels, the maximum limits of the landfill, the area of expansion in acres, a 1,000 foot buffer from the proposed footprint, locations of all residences, churches, hospitals, public parks, and day care centers in the vicinity of the landfill area, and an aerial image of the landfill and surrounding areas.

Lastly, a table containing the tax map numbers, owner information, and mailing addresses for all properties adjacent to the landfill property boundary and any properties that are required to provide a waiver is **attached (Appendix D)**.

If you have any questions, or require further information, please contact either of us at (919) 828-0577 or by email.

Sincerely,
SMITH GARDNER, INC.



Kaitlen R. Drafts, P.E.
Project Engineer
Ext. 305
kate@smithgardnerinc.com



DocuSigned by:
Patrick D. Brownson
FA5B6F7940814A4...
Patrick D. Brownson, E.I.
Staff Engineer
Ext. 307
patrick@smithgardnerinc.com

Attachments

Cc: File

H:\Projects\Oconee County (SC)\Oconee-16-3 (Conceptual Piggyback Class 2 Design)\00 Class 2 Expansion Letter of Request

Appendix A

Zoning Letter

**Class 2 Landfill Expansion Request
Oconee County Seneca Class 2 Landfill
Seneca, South Carolina**

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OCONEE COUNTY COMMUNITY DEVELOPMENT

Addressing | Codes | Permitting | Planning & Zoning

Zoning Verification Letter

October 19, 2016

RE: TMS # 268-00-03-001, 268-00-03-066, 268-00-03-096

Mr. Still,

The property identified by the above listed parcel number is zoned as follows:

268-00-03-001 – Control Free District

268-00-03-066 – Public and Recreational Lands District

268-00-03-096 – Public and Recreational Lands District

The current use of these parcels is permitted in these two districts.

Please feel free to contact us with any questions that you may have.

Sincerely,

Joshua A. Stephens

Assistant to the County Administrator

jstephens@oconeesc.com

ARTICLE 9. - GENERAL PROVISIONS

Sec. 38-9.1. - Use interpretation.

- (a) Each zoning district has uses permitted by right, conditional uses, and special exception uses. Lists are shown for each district placing uses under one of the three categories. Uses not expressly permitted are prohibited. The following describes the processes of each of the three categories that the uses are subject to:
- (1) *Uses permitted by right:* Administrative review and approval subject to district provisions and other applicable requirements only.
 - (2) *Conditional uses:* Administrative review and approval subject to district provisions, other applicable requirements, and conditions outlined in this chapter.
 - (3) *Special exceptions:* The board of zoning appeals review and approval is subject to any and all district provisions, other applicable requirements, and conditions of approval. Some special exceptions may also be subject to conditions in this chapter. Those uses currently governed by the Unified Performance Standards Sections of the Oconee County Code of Ordinances as special exceptions shall be governed by those standards unless otherwise noted in this chapter.
- (b) A mix of two or more uses on the same lot of record is permitted as long as both uses are listed as permitted within the zoning district. The requirements for the most restricted use shall apply. For example, if "Use A" is permitted by right and "Use B" is permitted with a special exception, then the property requires a special exception for both uses.

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-9.2. - Zoning map interpretation.

The map entitled Oconee County Official Zoning Map, as adopted and amended by the Oconee County Council establishes the official zoning districts and overlay districts. Where uncertainty exists as to the boundaries of any district shown on the official zoning map, the zoning official shall employ the following rules of interpretation.

- (1) *Centerline:* Where a boundary line lies within and follows a street or alley right-of-way, a railroad right-of-way, or utility easement, the boundary shall be construed to be the centerline of such street or alley right-of-way, railroad right-of-way, or utility easement boundary. If such a street or alley right-of-way, railroad right-of-way, or utility easement forming the boundary between two separate zoning districts is abandoned or removed from dedication, the district boundaries shall be construed as following the edge of the abandoned or vacated road bed or utility easement.
- (2) *Edge line:* Where a boundary line follows the edge of a street or alley right-of-way, a railroad right-of-way, or utility easement, the boundary shall be construed to be on the centerline of such street or alley right-of-way, railroad right-of-way, or utility easement boundary.
- (3) *Lot line:* Boundaries indicated as approximately following lot lines shall be construed as following such lot lines.
- (4) *County/municipal limits:* Boundaries indicated as approximately following county/municipal limits or extraterritorial boundary lines shall be construed as following the county/municipal limits or extraterritorial boundary lines.
- (5) *Watercourses:* Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.

- (6) *Extensions*: Boundaries indicated as parallel to or extensions of street or alley rights-of-way, utility easements, lot lines, city limits, county lines, or extraterritorial boundaries shall be so construed.
- (7) *Scaling*: In a case where a district boundary does not coincide with any boundary lines as above and no distances are described by specific ordinance; the boundary shall be determined by the use of the scale appearing on the map.
- (8) In the event physical features existing on the ground, or actual property lines or other man-made boundary lines used to depict zoning district boundaries, are different than those shown on the official zoning map, the board of zoning appeals shall have the authority to interpret zoning district boundaries.

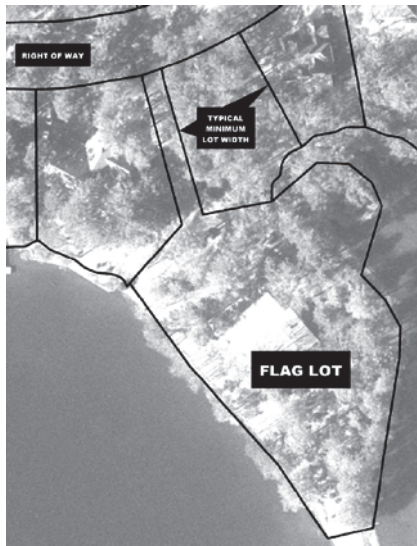
(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-9.3. - Dimensional requirements: General provisions and exceptions.

In addition to the dimensional requirements listed below and district dimensional requirements, further dimensional requirements may be set forth in Article 5 for those uses listed as conditional. The control free district shall be exempt from the provisions of this section.

(1) *Lot size and configuration.*

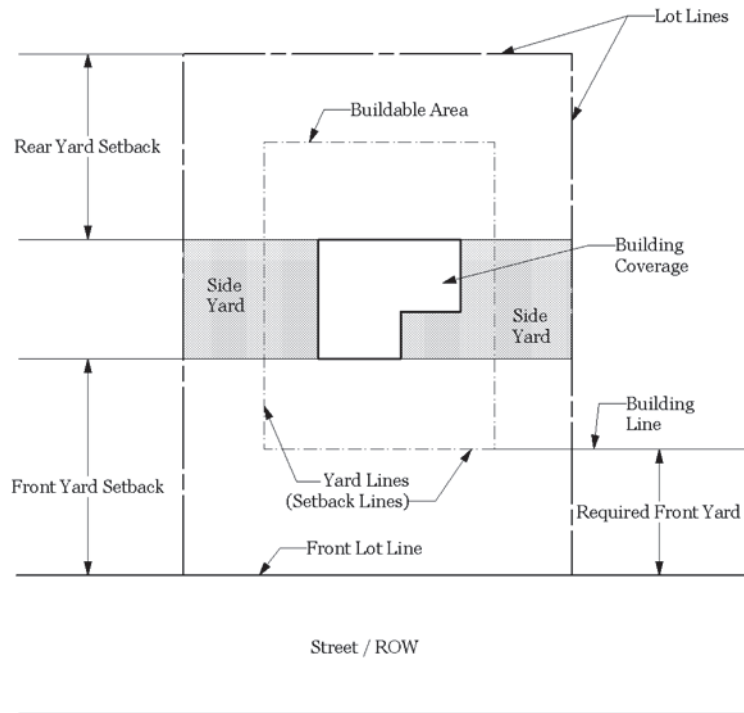
- a. Public utilities and government uses shall not be subject to the minimum lot size requirements, but shall meet the setback requirements.



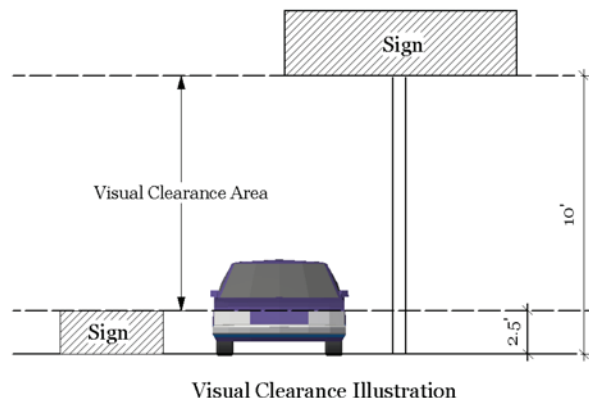
- b. A flag lot shall contain no more than two single-family dwellings and uninhabited accessory structures. Flag lots may be permitted under the following conditions:
 1. The maximum flagpole length shall be 300 feet.
 2. The minimum flagpole width shall be 30 feet;
 3. The front setback shall be measured from where the lot meets the district minimum width requirements.
 4. The flagpole portion of the lot shall not be used to calculate area, width, or setbacks of the lot or to provide off-street parking.
 5. There shall be no more than one flag lot per each four lots, per subdivision or development.

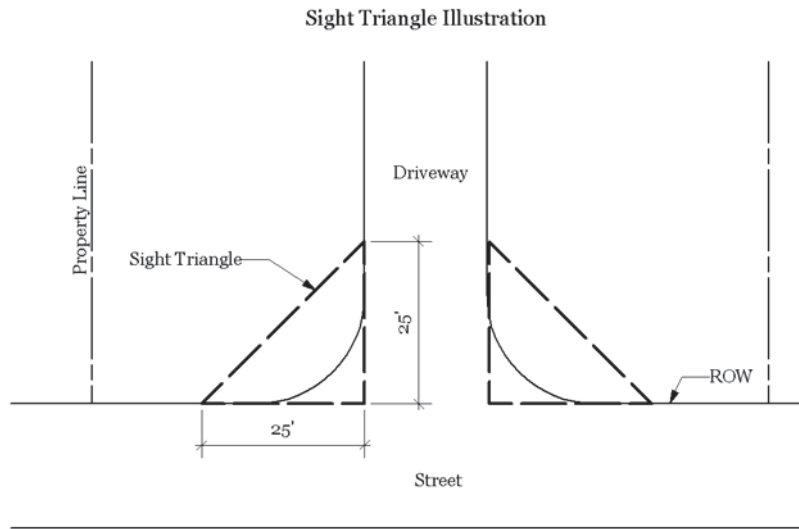
(2) *Setbacks.*

- a. The required front, side, and rear yards for individual lots shall be measured inward toward the center of said lot from all points along the respective front, side, and rear property lines of the lot. Once the yard areas of a given lot have been established, the remaining area of the lot which is not included in any required front, side, or rear lot shall be known as the "buildable" area within which the approved structure(s) shall be placed.



- b. Where a property abuts a street right-of-way, the setback shall be measured from the right-of-way line.
- c. Corner lots shall be considered to have two fronts and shall meet the front setback for the district.
- d. Front yard setbacks for double frontage lots shall be provided for both streets upon which the lot has frontage, and any accessory use(s) shall be prohibited from the required front yard setback of the street upon which the principal building fronts.
- e. Road design and encroachment criteria is governed by the standards in Chapter 26, of the Oconee County Code of Ordinances, as amended.





- f. Any garage door shall be set back a minimum of 20 feet from the property line that it faces so that vehicles may be parked in the driveway without encroaching into the right-of-way. If the district setback is greater than 20 feet, then the more restrictive setback shall prevail.
- g. The side and rear setbacks in the CCD and HCD shall not apply to the shared property line of attached buildings.
- h. The space in any required yard shall be open and unobstructed except for the ordinary projections of window sills, cornices, eaves, window air conditioning units, and other architectural features, provided that such features shall project no more than two feet into any required yard.
- i. Steps and heating and cooling units may project into a required yard a distance not to exceed five feet but no closer than five feet of a property line. Fences, freestanding walls, hedges, and septic lines may be located in any setback, so long as they remain on the property.

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-9.4. - Height.

- (a) **Requirements.** All proposed structures not specifically exempted by this article that are greater than 65 feet in height, or otherwise subject to the exemptions found in subsection 38-9.4.(b)(1)a.18. and 19. and greater than 199 feet in height, shall be subject to review and approval by the Oconee County Board of Zoning Appeals only as a special exception. In addition to the requirements for special exceptions established in Chapter 38, Article 7 of this Code, as amended, the board shall issue findings on each of the following criteria:
 - (1) Projected traffic and ability of existing roadways to accommodate the increase caused by the proposed structure.
 - (2) Anticipated cost of any specialized emergency response equipment and training required to serve the proposed structure.

- (3) Potential noise, light, fumes, shadows, obstruction of air flow, and other negative secondary effects caused by the proposed structure that may impact existing uses and/or adjacent properties.
 - (4) The aesthetic and cultural character of the environs, specifically regarding any potential degradation by the proposed structure of scenic views, historic sites, significant landmarks, and other sensitive areas.
 - (5) Appropriateness of proposed structure in relation to the character of the community.
- (b) *Height.*
- (1) Structure height is measured from the average elevation of the finished grade of the structure to the highest point of the structure; all methods relating to the establishment of elevations, grades, and distances shall conform to those set forth in codes adopted by Oconee County.
 - a. *Exemptions.* The height limitations of this chapter shall not apply to the following:
 - 1. Belfries.
 - 2. Chimneys.
 - 3. Church spires.
 - 4. Conveyors.
 - 5. Cooling towers.
 - 6. Cupolas.
 - 7. Domes.
 - 8. Elevator bulkheads.
 - 9. Fire towers.
 - 10. Flag poles.
 - 11. Ornamental towers and spires.
 - 12. Public monuments.
 - 13. Public utility poles.
 - 14. Silos.
 - 15. Skylights.
 - 16. Smoke stacks.
 - 17. Stage towers or scenery lofts.
 - 18. Structures, not otherwise exempt by this section, that are 200 feet or less in height, and located on property zoned as an Industrial District (ID) in accordance with chapter 38 of the Oconee County Code of Ordinances.
 - 19. Structures, not otherwise exempt by this section, that are 200 feet or less in height, and located on property designated by Oconee County as county industrial parks.
 - b. Such features shall be erected only to such height as is necessary to accomplish the purpose they are intended to serve and no height extension shall serve as a place for human habitation.
 - c. This section shall in no way exempt any structure from the application of standards or regulations contained in other chapters of this Code or other articles of this chapter, including, without limitation, any standards or regulations regarding height restrictions for certain areas of Oconee County, such as airport approach height restrictions.

- (2) Communication towers, antennas, and water tanks shall be exempt from district height requirements in these standards, but shall instead be subject to standards provided for in the Oconee County Unified Performance Standards Chapters of the Oconee County Code of Ordinances; however, all other district dimensional standards shall apply as specified.

(Ord. No. 2012-14, § 1, 5-15-2012; Ord. No. 2014-28, § 3(Att. C), 12-16-2014; Ord. No. 2015-25, § 2(Att. A), 9-15-2015)

Sec. 38-9.5. - Other requirements.

In addition to zoning district regulations see the following sections for other requirements:

- (1) See Article 5 for "Conditional uses".
- (2) See Article 7 for "Special exceptions".
- (3) See Appendix A for specifications on "Landscaping", "Buffering", "Parking", "Lighting", and "Signage". Standards contained on Appendix A shall apply only to those zoning districts or overlay districts specifically identified in Article 10, "Zoning District", and Article 11, "Overlay Districts", as being subject to Appendix A, each of which may be subject to all or part of the entire appendix, but only as specified. In no instance shall standards contained in Appendix A apply to any zoning district or overlay district unless so specified in such sections.
- (4) Notwithstanding any other provision herein to the contrary, proposed utility generation facilities and structures needed by regional and local utility providers in the production, transmission, and distribution of electricity, natural gas, water, or sewer services, as well as any facility or structure necessary to comply with any federal or state license requirements, related to such production, transmission, and distribution, shall be permitted by right in any district and shall be exempt from any standard set forth in this chapter.

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-10.1. - Establishment of base zoning districts.

Base zoning districts are created to provide comprehensive land use regulations throughout Oconee County. There are 14 base zoning districts that provide for a variety of uses that are appropriate to the character of the areas in which they are located in accordance with the Oconee County Comprehensive Plan. All permitted, conditional, and special exceptions are identified in the zoning use matrix. All conditional uses shall meet the guidelines established in Article 5 of this chapter. Likewise, all special exceptions shall meet the guidelines established in Article 6 of this chapter. For the purpose of this chapter, Oconee County is hereby divided into the following base zoning districts. These districts shall comply with all of the general and specific requirements of this chapter.

CFD	Control Free District	Section 38-10.2
TRD	Traditional Rural District	Section 38-10.3
RRD	Rural Residential District	Section 38-10.4
CD	Conservation District	Section 38-10.5
AD	Agricultural District	Section 38-10.6
RD	Residential District	Section 38-10.7
LRD	Lake Residential District	Section 38-10.8
CCD	Community Commercial District	Section 38-10.9
HCD	Highway Commercial District	Section 38-10.10
ID	Industrial District	Section 38-10.11
ARD	Agricultural Residential District	Section 38-10.12
PRLD	Public and Recreation Lands District	Section 38-10.13
MUD	Mixed Use District	Section 38-10.14
PDD	Planned Development District	Section 38-10.15

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-10.2. - Control free district (CFD).

The control free district is intended to be the initial zoning district for all parcels within the jurisdiction at the time of initial adoption of zoning in Oconee County, only; any parcel subsequently rezoned to any other district shall not be a part of the control free district at any future date.

*Dimensional requirements:**

Residential Uses	Density and Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	N/A	N/A	N/A	25	5	10	65
Nonresidential Uses	Minimum Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size		Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	N/A		N/A	25	5	10	65

(Ord. No. 2012-14, § 1, 5-15-2012; Ord. No. 2015-15, § 2(Att. B), 6-2-2015)

Sec. 38-10.13. - Public and/or recreation lands district (PRLD).

Title: Public and recreation lands district.

Definition: Those areas set aside for the promotion, use, and protection of natural resources in the form of (but not limited to) parks, forests, and educational or research facilities; or federal, state, and county owned lands typically maintained for the benefit of the public.

Intent: This district is meant to provide for a continuation and identification of public lands and to allow for those uses typically associated with accomplishing the mission of the agency charged with the care and promotion of the land.

Dimensional requirements: See Article 9 for general provisions and exceptions to dimensional requirements.

(Ord. No. 2012-14, § 1, 5-15-2012)

Appendix B

Proof of Ownership

**Class 2 Landfill Expansion Request
Oconee County Seneca Class 2 Landfill
Seneca, South Carolina**

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OCONEE COUNTY

Assessor's Office

"Land Beside the Water"

Recent Sales in Neighborhood Recent Sales in Area	Previous Parcel	Next Parcel	Field Definitions	Return to Main Search	Oconee Home
Owner and Parcel Information					
Owner Name	SENECA TOWN OF		Today's Date	October 10, 2016	
Mailing Address			Parcel Number	268-00-03-001 Tax ID: 35586	
	SENECA, SC 296780000		Tax District	(District 007)	
Location Address			2015 Millage Rate		
Legal Description	ADD BP FOR 93		Acres	98.83	
Property Class / Property Type	Exempt / Unclassified Exempt		Parcel Map	Show Parcel Map	
Neighborhood	COUNTY WIDE EX, IND, UTILITY				
Generate Owner List By Radius					

2015 Tax Year Value Information		
Land Taxable Market Value	Improvement Taxable Market Value	Total Taxable Market Value
\$ 1,482,450	0	\$ 1,482,450

Land Information					
Land Type	Frontage	Effective Frontage	Effective Depth	Acres	Square Footage
35	0	0	0	98.83	4,305,035

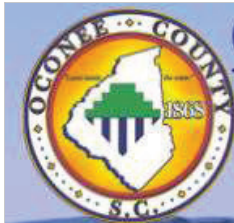
Residential Building Information	
No residential building information available for this parcel.	

Commercial and Miscellaneous Improvement Information						
Building Type	Year Built	Eff Year Built	Length/Width/Height	Size	Grade	Sketch
POLEBLDG	0	0	0 / 0 / 1	0 SF	Avg	Show Sketch
MISC	0	0	12 / 10 / 1	120	Avg	Show Sketch

Sale Information						
Sale Date	Sale Price	Deed Book	Deed Page	Qualification Reason	Grantor	Grantee
No Sales Information available for this parcel						

Recent Sales in Neighborhood Recent Sales in Area	Previous Parcel	Next Parcel	Field Definitions	Return to Main Search Page	Oconee Home
The Oconee County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: October 10, 2016					

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OONEE COUNTY

Assessor's Office

"Land Beside the Water"

Recent Sales in Neighborhood Recent Sales in Area	Previous Parcel	Next Parcel	Field Definitions	Return to Main Search	Oconee Home
Owner and Parcel Information					
Owner Name	OCONEE COUNTY		Today's Date	October 10, 2016	
Mailing Address	415 S PINE ST		Parcel Number	268-00-03-066 Tax ID: 35641	
	WALHALLA, SC 29691		Tax District	(District 007)	
Location Address			2015 Millage Rate		
Legal Description	MapPlatB A355 MapPlatP 9		Acres	30.9	
Property Class / Property Type	Exempt / Vacant Exempt Land		Parcel Map	Show Parcel Map	
Neighborhood	9900037				
Generate Owner List By Radius					

2015 Tax Year Value Information		
Land Taxable Market Value	Improvement Taxable Market Value	Total Taxable Market Value
\$ 463,500	0	\$ 463,500

Land Information					
Land Type	Frontage	Effective Frontage	Effective Depth	Acres	Square Footage
35	0	0	0	30.9	1,346,004

Residential Building Information
No residential building information available for this parcel.

Commercial and Miscellaneous Improvement Information						
Building Type	Year Built	Eff Year Built	Length/Width/Height	Size	Grade	Sketch
No miscellaneous information available for this parcel.						

Sale Information						
Sale Date	Sale Price	Deed Book	Deed Page	Qualification Reason	Grantor	Grantee
1996-05-29	\$ 20,000	865	269	Valid Arms-length sale tran	MOUNTS RUBY R ETAL	OONEE COUNTY
1992-08-22	\$ 5	705	213	Valid Arms-length sale tran	MOUNTS RUBY R ETAL	MOUNTS RUBY R ETAL

Recent Sales in Neighborhood Recent Sales in Area	Previous Parcel	Next Parcel	Field Definitions	Return to Main Search Page	Oconee Home
The Oconee County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: October 10, 2016					

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OCONEE COUNTY

Assessor's Office

"Land Beside the Water"

Recent Sales in Neighborhood Recent Sales in Area	Previous Parcel	Next Parcel	Field Definitions	Return to Main Search	Oconee Home
Owner and Parcel Information					
Owner Name	OCONEE COUNTY		Today's Date	October 10, 2016	
Mailing Address	415 S PINE ST		Parcel Number	268-00-03-096 Tax ID: 35667	
	WALHALLA, SC 29691		Tax District	(District 007)	
Location Address	301 N STRAWBERRY FRM RD		2015 Millage Rate		
Legal Description	MapPlatB A342 MapPlatP 1		Acres	57.73	
Property Class / Property Type	Exempt / Unclassified Exempt		Parcel Map	Show Parcel Map	
Neighborhood	9900037				
Generate Owner List By Radius					

2015 Tax Year Value Information		
Land Taxable Market Value	Improvement Taxable Market Value	Total Taxable Market Value
\$ 865,950	\$ 21,740	\$ 887,690

Land Information					
Land Type	Frontage	Effective Frontage	Effective Depth	Acres	Square Footage
35	0	0	0	57.73	2,514,719

Residential Building Information
No residential building information available for this parcel.

Commercial and Miscellaneous Improvement Information						
Building Type	Year Built	Eff Year Built	Length/Width/Height	Size	Grade	Sketch
	2000	2000	0 / 0 / 0	198 SF	Avg	NA
FLATCP	2000	2000	23 / 14 / 0	327 SF	Avg	NA

Sale Information						
Sale Date	Sale Price	Deed Book	Deed Page	Qualification Reason	Grantor	Grantee
1997-12-12		948	307	Valid Arms-length sale tran	OCONEE MEMORIAL HOSPITAL INC	OCONEE COUNTY

Recent Sales in Neighborhood Recent Sales in Area	Previous Parcel	Next Parcel	Field Definitions	Return to Main Search Page	Oconee Home
The Oconee County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: October 10, 2016					

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STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE)

L E A S E

SEP 30 3 42 PM '91

SALLIE C. SMITH
CLERK OF DISTRICT COURT

THIS AGREEMENT made and entered into this 1st day of JULY 1990, by and between the CITY OF SENECA, hereinafter referred to as the Lessor, and OCONEE COUNTY, hereinafter referred to as the Lessee,

WITNESSETH:

I

For and in consideration of the annual rental of ONE AND NO/100 (\$1.00) DOLLAR per year and the mutual promises and covenants herein contained, the Lessor does hereby agree to lease and demise to the Lessee, and the Lessee agrees to rent from the Lessor for a term of thirty (30) years, that is, beginning on the 1st day of July, 1990, and ending on the 30th day of June, 2020, the within described premises, for the uses and specific purposes and under the terms and conditions hereinafter provided, to wit:

All that certain piece, parcel or tract of land lying and being situate in the State of South Carolina, County of Oconee, in the Seneca School District containing fifty (50) acres, more or less, and being all that portion of the property of the Lessor situate in the Hardyville Community used by the Lessor and designated by it as a solid waste disposal area.

II

The Lessee, Oconee County, as additional consideration for the Lease and demise of the within described premises, hereby covenants and agrees with Lessor, City of Seneca, as follows, to wit:

Recorded this 30 day of Sept A.D., 19 91
Vol. 669 Page 26 and certified

Sallie C. Smith

C.C.O.P.G.S.

Oconee County, S.C.

Recorded this 2 day of Oct 19 91
Book 91 Page 3218
Fee
K. F. Williams
Auditor Oconee County, S.C.

(1) That during the continuance of the term herein the Lessee shall be in charge and control of the premises and shall employ the same solely for an area to dispose of solid waste according and subject to the regulations of the South Carolina State Board of Health, the South Carolina Board of Pollution Control and any other Federal or State regulatory agencies regulating such facilities.

(2) That the Lessee will employ a sanitary land-fill method of disposal of solid waste materials collected by the Lessee, brought on the premises by residents of Oconee County and/or by the City of Seneca or its designated assignee or assignees. Notwithstanding any regulations or rules adopted by the Lessee or any agency thereof concerning the disposal of solid waste materials on the premises, the Lessee agrees to take, receive and dispose of solid waste material from the City of Seneca or its designated assignee without charge or cost to the City or such assignee.

(3) The Lessee agrees, at its own expense, to provide the necessary labor, equipment and supplies to operate a sanitary land-fill within the rules and regulations as are now promulgated or as may be promulgated during the continuance of these presents by all interested and appropriate state and federal regulatory agencies. The failure of the Lessee to properly operate and maintain the premises under the rules and regulations of any such agencies and in a satisfactory manner to the representatives thereof shall constitute a breach of the terms and conditions of

this Lease and shall give the City the right and option to cancel the same upon failure of the Lessee to correct such deficiencies within twenty (20) days after receipt of notice thereof from the City or an appropriate regulatory agency.

(4) The Lessee agrees further that the sanitary land-fill procedures recommended by State and Federal agencies to enable the prolonged use and full enjoyment of the premises as a sanitary land-fill will be observed, and further the Lessee agrees to erect such necessary fences and other control devices to regulate the use of such facilities by the general public or by private waste collectors so as to prevent the premises from becoming a public or a private nuisance.

(5) The Lessee agrees to present to the City a restoration plan six (6) months prior to the termination or close-out of the land-fill operation whichever occurs first. The County agrees to implement and successfully complete implementation of the plan as submitted by the County and approved by the City prior to the County removing such equipment necessary to perform the operations. The Lessee agrees to comply with the rules and regulations of the South Carolina State Board of Health and South Carolina Soil Conservation Agency in regards to their requirements as it relates to the closing out of a sanitary land-fill operations.

(6) The Lessee agrees to save harmless and protect the City of Seneca from any and all claims arising out of the use of the premises as a sanitary land-fill by the Lessee, including but not

limited to claims for damage to persons or property, or actions based upon the theory of public or private nuisances.

III

The Lessor, City of Seneca, for itself, its successors and assigns, hereby agrees with the Lessee as follows, to wit:

(1) To allow the Lessee to promulgate rules and regulations concerning the operation of a sanitary land-fill upon the premises, regulating its use by the general public and by private contractors, PROVIDED HOWEVER, that in no event shall any charge be made by Lessee to the City of Seneca or its assignees for the use of the premises.

(2) That it will notify the Lessee of any breach of the terms of this Agreement and will allow the Lessee twenty (20) days in which to correct such breach prior to retaking the premises under the terms hereof.

(3) That it will allow the Lessee, upon termination or expiration of this Lease, to remove any of the Lessee's equipment therefrom, PROVIDED NEVERTHELESS, that upon surrender of the premises by the Lessee, the same be left in a good and orderly condition and manner, and all necessary waste disposal to the time of surrender thereof shall have been accomplished and completed within the rules and regulations of the South Carolina State Board of Health or other regulatory agencies.

(4) That during the term of this Lease, Lessor hereby transfers, gives, conveys and assigns to Lessee all right, title and interest which it presently has or may hereafter acquire in

or to the landfill gas presently located or which may hereafter be located in or on the premises and specifically grants unto the Lessee the right to mine, produce and process or cause to be mined, produced and processed any and all landfill gas in or on the premises and to solely receive all rent and royalties accruing therefrom.

IV

(1) All parties agree that the use of this property by the County is not transferrable to any other government agency or private individuals during the term of this agreement without the consent of the governing body for the City of Seneca except, however, County may sublease the property for exploration, mining and processing of landfill gas to Cargan Resources, Inc. and/or other corporations engaged in the exploration, mining, production and processing of same.

TO ALL OF WHICH, the parties have heretofore agreed, and in witness whereof, have hereunto placed their hands and affixed their seals, by their officers and agents authorized to do so, this day and date first above written.

Signed, Sealed and Delivered
in the Presence of:

Tommy E. Hunt
W. Bennett Martin
Jewel McJunkin

Opal O. Green
Kathy C. Brown

CITY OF SENECA, Lessor (SEAL)

BY: [Signature]

MAYOR

ATTEST: Walter R. Smith

CLERK

OCONEE COUNTY, Lessee (SEAL)

BY: [Signature]

SUPERVISOR-CHAIRMAN, OCONEE
COUNTY

STATE OF SOUTH CAROLINA)
)
 COUNTY OF OCONEE)

Personally appeared before me the undersigned witness and made oath that (s)he saw the within named City of Seneca by its Mayor and Clerk sign, seal and as its act and deed, deliver the within written instrument for the uses and purposes mentioned therein, and that (s)he with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 25th
 day of September, 1991.

James E. Grant
 NOTARY PUBLIC FOR SOUTH CAROLINA
 MY COMMISSION EXPIRES: 3-27-2000

Tommy E. Grant
91 Leota Martin

STATE OF SOUTH CAROLINA)
)
 COUNTY OF OCONEE)

Personally appeared before me the undersigned witness and made oath that (s)he saw the within named Oconee County by its Supervisor-Chairman sign, seal and as its act and deed, deliver the within written instrument for the uses and purposes mentioned therein, and that (s)he with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 26th
 day of September, 1991.

Opal O. Brown
 NOTARY PUBLIC FOR SOUTH CAROLINA
 MY COMMISSION EXPIRES: 08/20/2000

Opal O. Brown

FILED FOR RECORD
 OCONEE COUNTY
 SEP 30 3 42 PM '91
 CLERK OF COURT

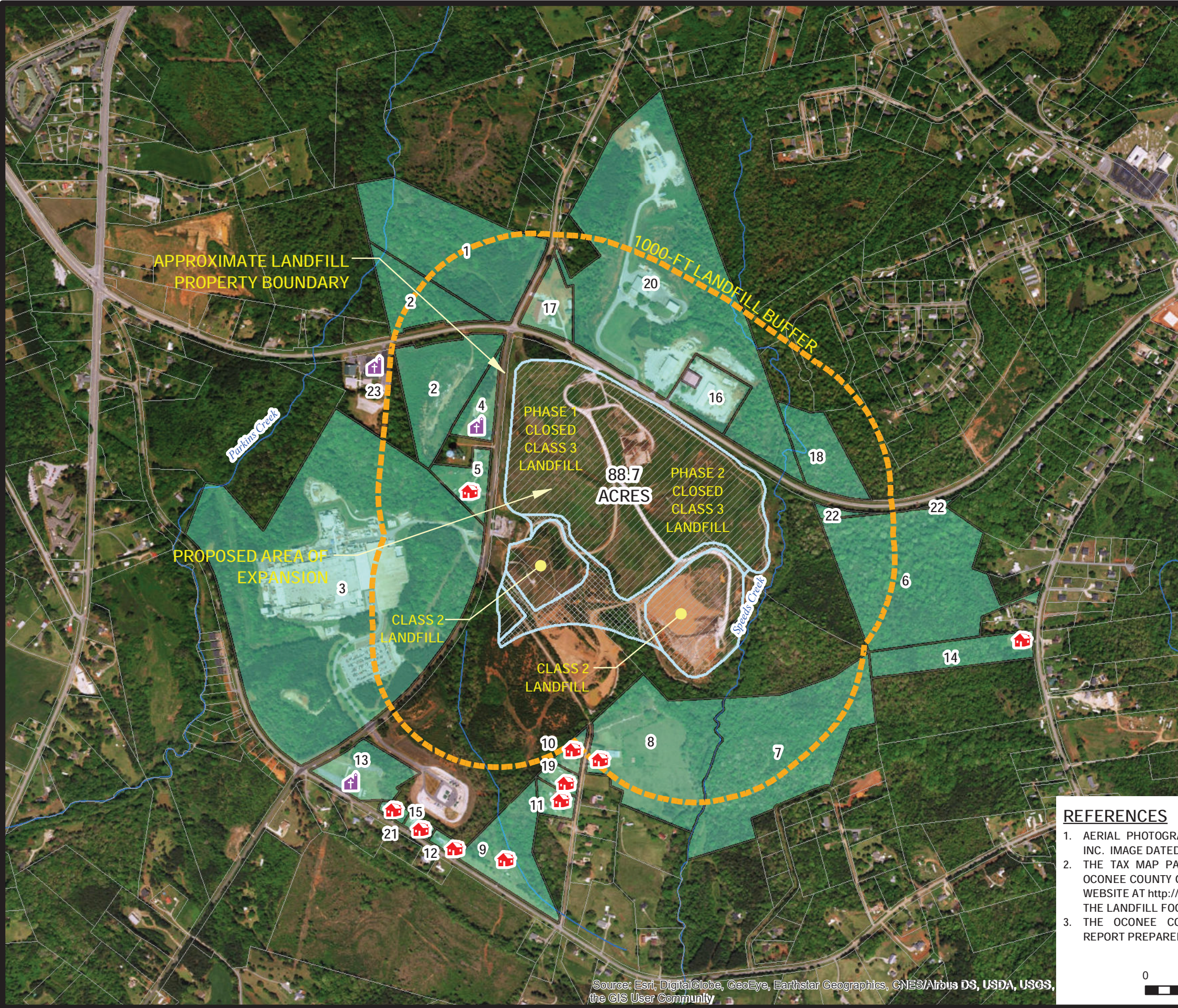
Appendix C

Site Map

**Class 2 Landfill Expansion Request
Oconee County Seneca Class 2 Landfill
Seneca, South Carolina**

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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, the GIS User Community



LEGEND

- CHURCH
- RESIDENCE
- 1000' LANDFILL BUFFER
- ADJACENT PROPERTIES
- STREAM

- REFERENCES**
1. AERIAL PHOTOGRAPHY PROVIDED BY GOOGLE EARTH, (C) GOOGLE INC. IMAGE DATED FEBRUARY 11, 2012.
 2. THE TAX MAP PARCEL BOUNDARIES WERE OBTAINED FROM THE OCONEE COUNTY GEOGRAPHIC INFORMATION SYSTEM (GIS) MAPPING WEBSITE AT <http://www.oconeesc.com/OnlineServices.aspx>. THE LANDFILL FOOTPRINT BOUNDARIES ARE BASED ON EXHIBIT B OF THE OCONEE COUNTY SENECA LANDFILLS 2012 SEMI-ANNUAL REPORT PREPARED BY BP BARBER AND ARE APPROXIMATE.
 - 3.



SMITH+GARDNER				14 N. Boylan Avenue, Raleigh NC 27603 919.828.0577	
SITE MAP WITH ARIAL PHOTOGRAPH CLASS 2 LANDFILL EXPANSION OCONEE COUNTY SENECA LANDFILLS OCONEE COUNTY, SOUTH CAROLINA	DRAWN:	C.T.J.	APPROVED:	P.D.B.	FIGURE NO.:
	DATE:	Aug. 2017	PROJECT NO.:	OCONEE 16-3	1
			FILENAME:	OCONEE-B0013	

Appendix D

Property Owner Information

**Class 2 Landfill Expansion Request
Oconee County Seneca Class 2 Landfill
Seneca, South Carolina**

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Map No.	Parcel No.	Physical Address	Title	First Name	Last Name	Mailing Street Address	City	State	ZIP	Adjacent to LF Property?	Residence, church, hospital, park, or day care?	Notes
1	254-00-01-023			Marian	Jackson	608 Henderson Dr.	Seneca	SC	29678	Y	N	Wooded
2	254-00-01-024	Wells Highway	Mr.	Alexander	Shadwick	P. O. Box 325	Seneca	SC	29679	Y	N	Business, Wooded
3	268-00-02-008	N Strawberry Farm Rd.		BASF Catalysts	LLC	100 Park Ave.	Florham Park	NJ	07932	Y	N	Business: BASF Catalysts
4	268-00-02-012	130 N Strawberry Farm Rd.		Richland Baptist	Church Trustees	P. O. Box 1394	Seneca	SC	29679	Y	Y	Richland Baptist Church
5	268-00-02-013	324 Ponderosa Dr.		Oconee	County	415 S Pine St.	Walhalla	SC	29691	Y	Y	Oconee County-owned, but residence on-site
6	268-00-03-020	Deer Run Ct.	Mr.	Charles	Rogers	1512 W Little River Dr.	Seneca	SC	29678	Y	N	Wooded
7	268-00-03-033		Mr.	Deryl	Keese	P. O. Box 1057	Seneca	SC	29679	Y	N	Wooded
8	268-00-03-039	207 Crooks Rd.		Oconee	County	415 S Pine St.	Walhalla	SC	29691	Y	Y	Oconee County-owned, but residence on-site
9	268-00-03-041	171 E Reedy Fork Rd.	Mr.	Perry	Burkett	171 E Reedy Fork Rd.	Seneca	SC	29678	Y	Y	Single Family Residence
10	268-00-03-043	206 Crooks Rd.	Ms.	Marjorie	Day	206 Crooks Rd.	Seneca	SC	29678	Y	Y	Mobile Home
11	268-00-03-051	222 Crooks Rd.	Mr.	Douglas	Hightower	222 Crooks Rd.	Seneca	SC	29678	Y	Y	Single Family Residence
12	268-00-03-055	127 E Reedy Fork Rd.	Ms.	Joanne	Grant	127 E Reedy Fork Rd.	Seneca	SC	29678	Y	Y	Mobile Home
13	268-00-03-057	115 E Reedy Fork Rd.		Deacons of Reedy	Fork Baptist Church	115 E Reedy Fork Rd.	Seneca	SC	29678	Y	Y	Reedy Fork Baptist Church
14	268-00-03-058	324 Friendship Rd.	Ms.	Brenda	Roach	324 Friendship Rd.	Seneca	SC	29678	Y	Y	Actual residence not within buffer
15	268-00-03-062	127 E Reedy Fork Rd.	Ms.	Joanne	Grant	127 E Reedy Fork Rd.	Seneca	SC	29678	Y	Y	Mobile Home
16	268-00-03-089	Wells Highway		Oconee	County	415 S Pine St.	Walhalla	SC	29691	Y	N	Oconee County Transfer Station
17	268-00-03-092	127 Skeeter Dr.	Mr.	Ronald	Duquette	9063 Link Rd.	Eugene	OR	97402	Y	N	Business: Metal Technology
18	268-00-03-124	Wells Highway		Fendley	Investments, LLC	517 Seneca Dr.	Seneca	SC	29678	Y	N	Wooded
19	268-00-03-102	216 Crooks Rd.	Ms.	Debbie Lynn	Hightower	216 Crooks Rd.	Seneca	SC	29678	Y	Y	Mobile Home
20	268-00-03-104	15026 Wells Highway		Oconee	County	415 S Pine St.	Walhalla	SC	29691	Y	N	Oconee County Transfer Station
21	268-00-03-107	123 E Reedy Fork Rd.	Mr.	Justin	Comeaux	123 E Reedy Fork Rd.	Seneca	SC	29678	Y	Y	Single Family Residence
22	268-00-03-134	Wells Highway		Fendley	Investments, LLC	517 Seneca Dr.	Seneca	SC	29678	Y	N	Wooded
23	254-00-01-026	15195 Wells Highway		Grace Baptist Church	of Oconee County	15195 Wells Hwy.	Seneca	SC	29678	N	Y	Grace Baptist Church of Oconee County

oconee_adjacent_parcel

parcel_no	TMS_NUMBER
1	254-00-01-023
2	254-00-01-024
3	268-00-02-008
4	268-00-02-012
5	268-00-02-013
6	268-00-03-020
7	268-00-03-033
8	268-00-03-039
9	268-00-03-041
10	268-00-03-043
11	268-00-03-051
12	268-00-03-055
13	268-00-03-057
14	268-00-03-058
15	268-00-03-062
16	268-00-03-089
17	268-00-03-092
18	268-00-03-124
19	268-00-03-102
20	268-00-03-104
21	268-00-03-107
22	268-00-03-134